

REMARKS

Claims 1 to 17, 19 to 20 and 24 to 26 are pending in this application. Claims 1, 19 and 20 are the independent claims and amended herein. Claims 24 to 26 are new. Favorable reconsideration and further examination are respectfully requested.

Applicants and the Examiner had a teleconference on Friday, February 8, 2007 to clarify the §112, first paragraph rejection with respect to “network addresses” recited in the claims. The Examiner agreed that the support included herein would overcome the §112 rejection. The Examiner further clarified his rejection of claim 1 with respect to network addresses being inherent. No other items or any proposed amendments were discussed.

Claims 1 to 17, 19 and 20 were rejected under 35 U.S.C. §112, first paragraph, for allegedly not complying with the specification. The Examiner asserts that network addresses are not disclosed in the specification. The specification discusses a World-Wide Name (WWN) associated with a customer (see, for example, page 5, lines 16 to 19, page 12, lines 13 to 15 and page 13 lines 2 to 23). One skilled in the art would know that WWN has a specific meaning, i.e. WWN refers to a unique identifier on a network (see page 13, lines 20 to 23 of Applicants’ specification), for example, a 64-bit address used in Fibre Channel networks (see attached article entitled “How to... interpret worldwide names” by Chris Evans, www.techworld.com, October 8, 2003). Applicants respectfully request that the §112 rejection be withdrawn.

Claims 1-5, 8-11, 17, 19 and 20 are rejected under 35 U.S.C. §102(e) as being anticipated by Aziz et al. (U.S. Patent Number 6,779,016 hereinafter "Aziz"). Claims 6, 7 and 12 to 16 were rejected under 35 U.S.C. §103(a) as being obvious over Aziz in view of Nine et al. (U.S. Patent Number 6,560,611)

Amended claim 1 is directed to a method of managing hardware resources. The method includes providing an executable software module configured to communicate with the hardware resources and operating the executable software module to cause the executable software module to return information about the hardware resources. The information includes hardware configuration information associated with hardware resources and customer information associated with customers of the hardware resources. The customer information includes network addresses of equipment used by the customers, allocation information indicative of allocations of the hardware resources to the customers and billable event information for use by a billing application to bill the customers and indicative of usage of the hardware resources by the customers. The method also includes storing the hardware configuration information and the customer information in a database.

The applied art is not understood to disclose or to suggest the foregoing features of claim 1. In particular, Aziz does not disclose or suggest that the customer information includes network addresses of equipment used by the customers (see, for example, page 11, line 27 to page 12, line 9 and FIG. 6 of Applicants' Specification).

Aziz discloses a "pay-as-you-go" billing model that includes billing customer's usage on a server (see column 16, lines 23 to 43 of Aziz). The Examiner has indicated that Aziz

inherently includes some type of customer identification (see page 4 of the Office action).

Applicants submit that it is not inherent in Aziz that the customer information includes network addresses of equipment used by the customers.

Applicants also submit that claim 24 is further distinguished from Aziz. In particular, Aziz does not disclose or suggest that storing includes storing the customer information in a table. An entry in the table includes a first field indicating an allocated hardware resource, a second field storing the addresses of the equipment associated with the allocated hardware resource in the first field and a third field indicating the customer associated with the allocated hardware resource in the first field (see, for example, page 11, line 27 to page 12, line 9 and FIG. 6 of Applicants' Specification).

Independent claim 19 is a computer product claim and independent claim 20 is a system claim, each having features corresponding to claim 1. Applicants submit that the Aziz reference should also be withdrawn with respect to claims 19 and 20 for at least the same reasons as claim 1.

For at least the foregoing reasons, Applicants request withdrawal of the art rejection.

Applicants submit that all dependent claims now depend on allowable independent claims.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for withdrawing the prior art cited with regards to

any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicants submit that the entire application is now in condition for allowance. Such action is respectfully requested at the Examiner's earliest convenience.

All correspondence should be directed to the address below. Applicants' attorney can be reached by telephone at (781) 401-9988 ext. 23.

No fee is believed to be due for this Response; however, if any fees are due, please apply such fees to Deposit Account No. 50-0845 referencing Attorney Docket: EMC-033PUS.

Respectfully submitted,

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